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UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

Eric Knutesen, on behalf of himself  
and all others similarly situated,

Plaintiff,

vs.

Seterus, Inc., and Does 1 through 10,  
inclusive, and each of them,

Defendants.

No. CV-13-2224-PHX-LOA

**ANSWER OF DEFENDANT  
SETERUS, INC.**

Defendant Seterus, Inc. ("Seterus") through undersigned counsel hereby  
Answers Plaintiff's Complaint as follows:

1. Seterus denies the allegations contained in paragraph 1 of Plaintiff's  
Complaint and affirmatively states that it did not violate the Telephone Consumer  
Protection Act (the "TCPA"), 47 U.S.C. § 227 *et seq.* as alleged by Plaintiff.

2. Seterus admits that Plaintiff is a resident of Arizona; Seterus further  
denies that it is a resident of the State of Michigan; and, as to the remaining allegations  
in Paragraph 2 of Plaintiff's Complaint, Seterus denies the allegations.

3. Seterus admits that venue is proper.

1           4.     Seterus has insufficient information at this time to either admit or deny  
2 the allegations in paragraph 4, and therefore denies the same, except that to the best of  
3 Seterus' knowledge, information, and belief, Plaintiff Knutesen is a "person" as defined  
4 by 47 U.S.C. § 153(39).

5           5.     Seterus denies the allegations contained in Paragraph 5 of Plaintiff's  
6 Complaint that it "is a leader in the consumer debt recovery industry" and further  
7 denies that it is a "person" defined under 47 U.S.C. § 153(10).

8           6.     Seterus denies the allegations contained in Paragraph 6 of Plaintiff's  
9 Complaint, to the extent that there are any, that Defendants "DOES 1 through 10" are  
10 "subsidiaries" or "agents" of Seterus and with regard to the remaining allegations  
11 contained therein, no response is necessary.

12          7.     Seterus denies the allegations contained in Paragraph 7 of Plaintiff's  
13 Complaint.

14          8.     Seterus has insufficient information at this time to either admit or deny  
15 the allegations contained in Paragraph 8 of Plaintiff's Complaint and therefore, it denies  
16 the same.

17          9.     Seterus has insufficient information at this time to either admit or deny  
18 the allegations contained in Paragraph 9 of Plaintiff's Complaint and therefore, it denies  
19 the same.

20          10.    Seterus has insufficient information at this time to either admit or deny  
21 the allegations contained in Paragraph 10 of Plaintiff's Complaint and therefore, it  
22 denies the same.

23          11.    Seterus has insufficient information at this time to either admit or deny  
24 the allegations contained in Paragraph 11 of Plaintiff's Complaint and therefore, it  
25 denies the same.

26          12.    Seterus has insufficient information at this time to either admit or deny

1 the allegations contained in Paragraph 12 of Plaintiff's Complaint and therefore, it  
2 denies the same.

3 13. Seterus has insufficient information at this time to either admit or deny  
4 the allegations contained in Paragraph 13 of Plaintiff's Complaint and therefore, it  
5 denies the same.

6 14. Seterus has insufficient information at this time to either admit or deny  
7 the allegations contained in Paragraph 14 of Plaintiff's Complaint and therefore, it  
8 denies the same.

9 15. Seterus has insufficient information at this time to either admit or deny  
10 the allegations contained in Paragraph 15 of Plaintiff's Complaint and therefore, it  
11 denies the same.

12 16. Seterus has insufficient information at this time to either admit or deny  
13 the allegations contained in Paragraph 16 of Plaintiff's Complaint and therefore, it  
14 denies the same.

15 17. Seterus denies the allegations contained in Paragraph 17 of Plaintiff's  
16 Complaint, to the extent that there are any, with regard to Plaintiff being a member of a  
17 "class" that is entitled to any relief, and with regard to the remaining allegations  
18 contained therein, no response is necessary.

19 18. Seterus denies the allegations contained in Paragraph 18 of Plaintiff's  
20 Complaint, to the extent that there are any, with regard to Plaintiff being a member of a  
21 "class" that is entitled to any relief, and with regard to the remaining allegations  
22 contained therein, no response is necessary.

23 19. Seterus denies all of the allegations contained in Paragraph 19 of  
24 Plaintiff's Complaint.

25 20. Seterus denies all of the allegations contained in Paragraph 20 of  
26 Plaintiff's Complaint.





**SECOND CAUSE OF ACTION**

40. No response is necessary.

41. Seterus denies all of the allegations contained in Paragraph 33 of Plaintiff's Complaint.

42. Seterus denies all of the allegations contained in Paragraph 34 of Plaintiff's Complaint and further states that Plaintiff and the "Class members" are not entitled to any relief under U.S.C. § 227(b)(3)(B) and U.S.C. § 227(b)(3)(C).

43. Seterus denies all of the allegations contained in Paragraph 35 of Plaintiff's Complaint.

WHEREFORE, Defendant Seterus, Inc., having fully answered the Complaint, respectfully requests that the Court deny the relief requested by Plaintiff and dismiss Plaintiff's claims with prejudice and award Seterus its attorney fees and costs in having to defend this matter.

**JURY TRIAL DEMANDED**

Pursuant to Rule 38, Federal Rules of Civil Procedure, Defendant Seterus, Inc. demands a trial by jury.

DATED this 10th day of January, 2014.

DICKINSON WRIGHT PLLC

*s/ Victoria L. Orze*

Victoria L. Orze  
Ari Charlip  
Samantha Murray  
Attorneys for Defendant Seterus, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 10<sup>th</sup> day of January, 2014, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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By: s/ Marsha E. Wood